



Travis County Commissioners Court Agenda Request

Meeting Date: September 18, 2012

Prepared By: Paul Scoggins **Phone #:** 854-7619

Division Director/Manager: Anna Bowlin, Division Director of Development Services

A handwritten signature in black ink, appearing to read "Steven M. Manilla".

Department Head: Steven M. Manilla, P.E., County Executive-TNR

Sponsoring Court Member: Commissioner Huber, Precinct Three

AGENDA LANGUAGE: Consider and take appropriate action on a request to authorize the filing of an instrument to vacate the two five foot wide public utility easements located along the common lot line Lots 1083 and 1084 of Apache Shores Section 2 – Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

TNR staff has received a request to vacate two five foot wide public utility easements (PUEs) located along the common lot line of Lots 1083 and 1084 of Apache Shores, Section 2. The PUEs are dedicated per plat note. The subject lots front on Running Deer Trail, a street maintained by Travis County.

The utility companies operating in the area have stated they have no objection to vacating the subject easements. Staff foresees no opposition to this request.

STAFF RECOMMENDATIONS:

The request has been reviewed by TNR staff and staff finds the vacation request meets all Travis County standards. As such, TNR staff recommends the request.

ISSUES AND OPPORTUNITIES:

According to the request letter the property owners plan to build their residence on the two lots. Vacating the subject easements will allow the property owners to cross the common lot line with their proposed improvements without encroaching on said easements.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A.

ATTACHMENTS/EXHIBITS:

Order of Vacation
Field Notes and Sketch
Request/Engineer's Letter
Sketch
Sign Affidavit and Pictures
Maps

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Anna Bowlin	Division Director	Development Services	854-7561
John Ellis	Engineer	Development Services	854-9805

CC:

Stacey Scheffel	Program Manager	TNR Permits	854-7565

SM:AB:ps
1101 - Development Services - Apache Shores, Section Two

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owners request the vacation of two five foot wide public utility easements located along the common lot line of Lots 1083 and 1084 of Apache Shores, Section 2 as recorded in Volume 48, Page 58 of the Travis County Plat Records;

WHEREAS, all utility companies known to be operating in the area have indicated they have no need for the easements requested to be vacated as described in the attached field notes and sketch;

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of the easements as described in the attached field notes and sketch;

WHEREAS, the required public notice was posted and the Travis County Commissioners Court held a public hearing on September 18, 2012 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the two five foot wide public utility easements located along the common lot line of Lots 1083 and 1084 of Apache Shores, Section 2, as shown on the attached sketch and described in the attached field notes, are hereby vacated.

ORDERED THIS THE _____ DAY OF _____ 2012.

SAMUEL T. BISCOE, COUNTY JUDGE

COMMISSIONER RON DAVIS
PRECINCT ONE

COMMISSIONER SARAH ECKHARDT
PRECINCT TWO

COMMISSIONER KAREN HUBER
PRECINCT THREE

COMMISSIONER MARGARET GOMEZ
PRECINCT FOUR

**1,355 SQUARE FOOT
PUBLIC UTILITY EASEMENT RELEASE
TRAVIS COUNTY, TEXAS**

BEING a 1,355 square foot tract of land situated in Lot 1083 and Lot 1084 of APACHE SHORES, SECTION 2, a subdivision of Travis County, Texas as described by plat recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas, said 1,355 square foot tract of land being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod (controlling monument) found for the southernmost corner of said Lot 1083 and the westernmost corner of said Lot 1084 and being in the northeasterly right-of-way line of Running Deer Trail (a 50 foot width right-of-way) from which a 1/2-inch iron rod (controlling monument) found for the easternmost corner of said Lot 1083 and the northernmost corner of said Lot 1084 bears North 52°15'10" East, at a distance of 152.07 feet;

THENCE North 52°15'10" East along the southeasterly line of said Lot 1083 and the northwesterly line of said Lot 1084, a distance of 10.00 feet to a point for corner in the northeasterly line of a 10 foot public utility easement as shown by plat recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas, same being the point of curvature of a non-tangent curve to the left the radius point of which bears South 45°44'13" West, at a distance of 284.20 feet and the **POINT OF BEGINNING**;

THENCE Northwesterly along the northeasterly line of said 10 foot public utility easement and said non-tangent curve to the left through a central angle of 01°00'56", for an arc distance of 5.04 feet, a chord bearing of North 44°46'15" West and a chord distance of 5.04 feet to a point for corner in the northwesterly line of a 5 foot public utility easement as shown by plat recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas;

THENCE North 52°15'10" East, along the northwesterly line of said 5 foot public utility easement, a distance of 133.89 feet to a point for corner in the southwesterly line of a 6 foot public utility easement described by deed recorded in Volume 3778, Page 1303, Deed Records of Travis County, Texas;

THENCE South 61°18'00" East along the southwesterly line of said 6 foot public utility easement, passing at a distance of 5.45 feet the southeasterly line of said Lot 1083 and the northwesterly line of said Lot 1084, continuing in all for a total distance of 10.91 feet to a point for corner in the southeasterly line of a 5 foot public utility easement as shown by plat recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas;


**1,355 SQUARE FOOT
PUBLIC UTILITY EASEMENT RELEASE
TRAVIS COUNTY, TEXAS**

THENCE South 52°15'10" West, along the southeasterly line of said 5 foot public utility easement, a distance of 137.11 feet to a point for corner in the aforementioned northeasterly line of said 10 foot public utility easement, same being the point of curvature of a non-tangent curve to the left the radius point of which bears South 46°45'02" West, at a distance of 284.20 feet;

THENCE Northwesterly along said northeasterly line and said non-tangent curve to the left through a central angle of 01°00'49", for an arc distance of 5.03 feet, a chord bearing of North 43°45'23" West and a chord distance of 5.03 feet to the **POINT OF BEGINNING**;

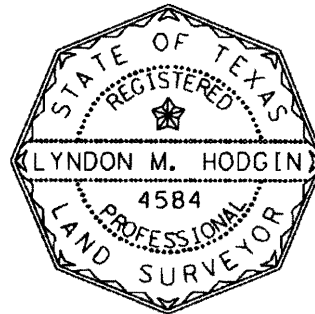
CONTAINING a computed area of 1,355 square feet or 0.0311 of an acre of land.

I hereby certify that this metes and bounds description and attached plat represent a survey made on the ground under my supervision during the month of June, 2012.



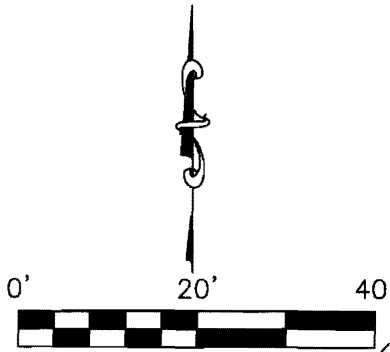
Lyndon M. Hodgkin
Registered Professional Land Surveyor
Texas Registration No. 4584

7-03-12
Date

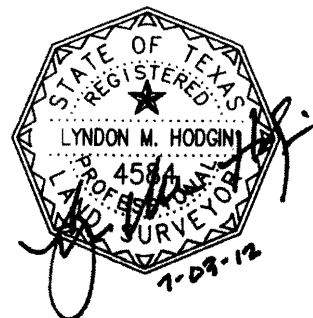
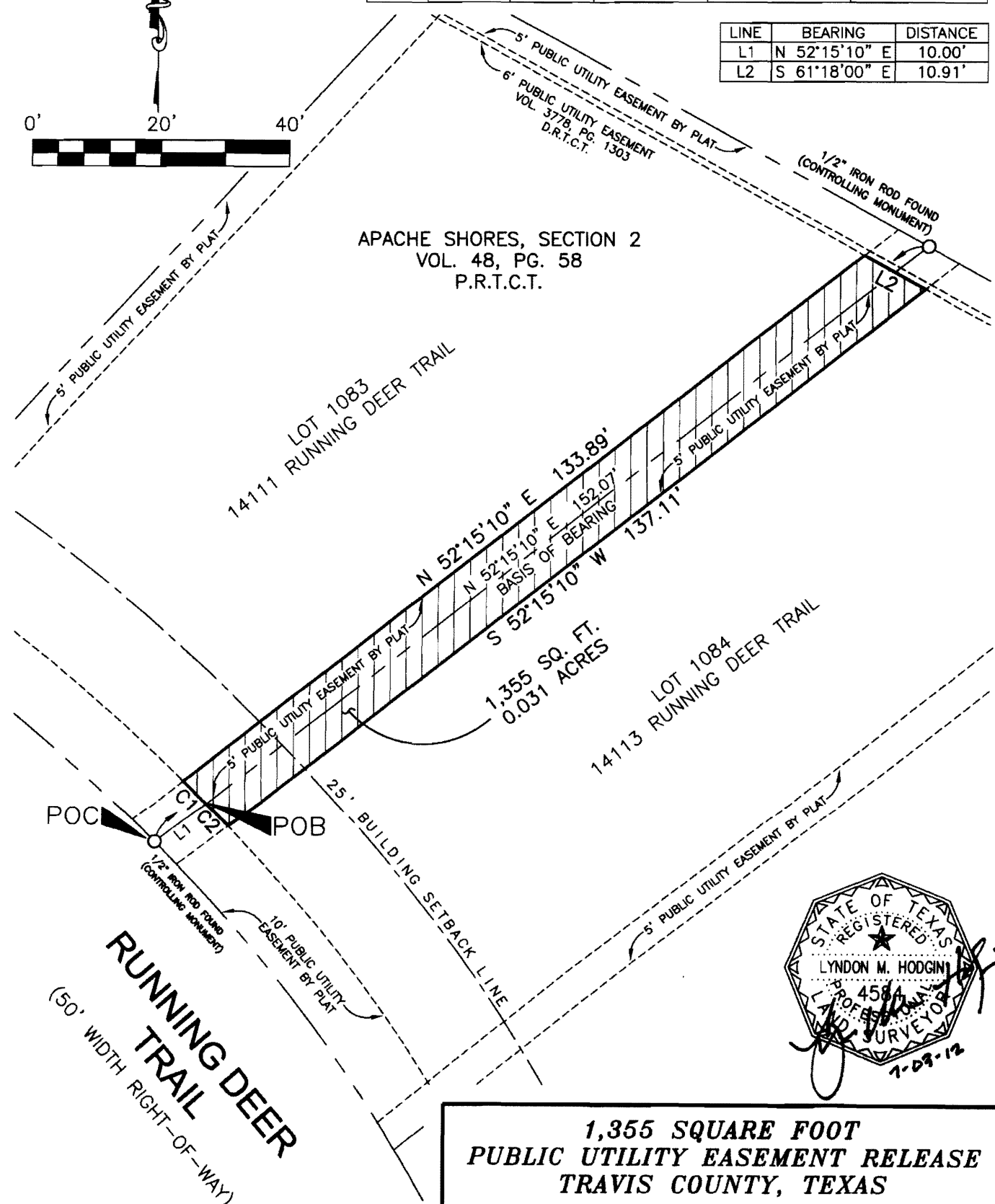


CURVE TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	284.20'	1°00'56"	5.04'	N44°46'15"W	5.04'
C2	284.20'	1°00'49"	5.03'	N43°45'23"W	5.03'

LINE	BEARING	DISTANCE
L1	N 52°15'10" E	10.00'
L2	S 61°18'00" E	10.91'



APACHE SHORES, SECTION 2
VOL. 48, PG. 58
P.R.T.C.T.



**1,355 SQUARE FOOT
PUBLIC UTILITY EASEMENT RELEASE
TRAVIS COUNTY, TEXAS**

July 23, 2012

To Whom It May Concern,

This is a request to vacate the easement between the following properties

APACHE SHORES SEC 2 Subdivision, Lot 1083, Travis County

Lot 1083 Running Deer Trail

Austin, Texas 78734

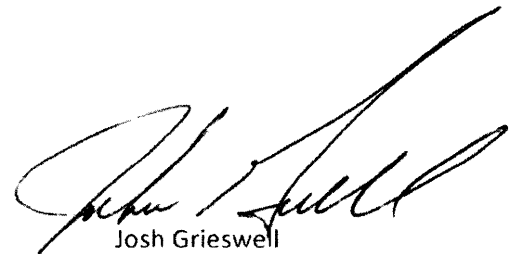
&

APACHE SHORES SEC 2 Subdivision, Lot 1084, Travis County

Lot 1084 Running Deer Trail

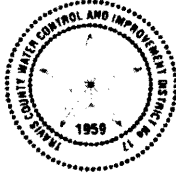
Austin, Texas 78734

The lots will be combined in order to begin construction on our residence. Please contact me with any questions.

A handwritten signature in black ink, appearing to read "Josh Grieswell", is written over a printed name.

Josh Grieswell

(972) 880-3298



TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 17

3812 Eck Lane • Austin, Texas 78734
• Phone (512) 266-1111 • Fax (512) 266-2790

Date: 4/4/12 UTILITY EASEMENT RELEASE APPLICATION

A release of the following utility easement(s) is hereby requested. (\$30.00 fee is required)

Property Address: lot 1083/1084 Running Deer trail
Legal Description: Austin, TX 78734

A plat drawing with the easement highlighted must accompany this application.

Applicant Name: Joshua Grieswell 972-880-3298
Address: 8523 Eustis Ave
Dallas, TX 75218

Reason for Request: one lot

[checked] Water District 17 DOES NOT have a need for an easement on the property as described in the accompanying document. The easement(s) is (are) hereby released.

Water District 17 DOES have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

Signature: Henry W Marley Date: 5.24.12
Reviewer: HENRY WMARLEY

Signature: Deborah S. Gernes Date:
Printed Name: Deborah S. Gernes
General Manager
Title

Please return this completed form to:

Name: Joshua Grieswell
Address: 8523 Eustis Ave
City/State/Zip: Dallas, TX 75218
Phone: 972-880-3298
Fax:
Email: info@samow.com



TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E. COUNTY EXECUTIVE

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 834-9383
FAX (512) 834-4649

EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at 1083/1084 Running Deer Trail (address) and/or (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement. Your prompt reply is requested.

STATEMENT

- We do not have need for an easement on the property as described in the accompanying document.
- We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

Laurie Schumpert
Signature
Laurie Schumpert
Printed Name
Sr. Designer
Title
Time Warner Cable Central TX
Utility Company or District
May 4, 2012
Date

Please return this completed form to:

.....
Name
.....
Address
.....
City/State/Zip



TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E. COUNTY EXECUTIVE

411 West 13th Street
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PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at 14113 Running Deer Trail, Austin, TX (address) and/or Lot 1084 Apache Shores, Sec 2 Subdivision (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement. Your prompt reply is requested.

STATEMENT

We do not have need for an easement on the property as described in the accompanying document.

We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

Signature
Sonny Poole

Printed Name
Mgr, PIREs

Title
Austin Energy

Utility Company or District
April 24, 2012

Date

Please return this completed form to:

Paul Patterson

Name

101 S. Cot Rd. Suite 36 #115

Address

Richardson, TX 75080

City/State/Zip

paul@gomow.com



SOUTHWESTERN BELL TELEPHONE COMPANY

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by *SOUTHWESTERN BELL TELEPHONE COMPANY, a Missouri corporation, GRANTOR, AND Joshua Michael Grieswell and Maria Lien Grieswell, GRANTEE(S)*, wherein GRANTOR in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does by these presents ABANDON, RELEASE, RELINQUISH AND DISCLAIM to GRANTEE(S), as is, all or a specific portion of certain easements for telecommunication purposes hereinafter described that affects land owned by GRANTEE(S) situated in *Travis County, Texas*, and described as follows:

Lot 1083 and 1084, Apache Shores, Section 2, Deed of record in Documents 2012044119 and 2012044120, Property Records of Travis County, Texas

Said land of GRANTEE(S) being subject to:

Easements recorded in Volume 48, Page 58, Plat Records of Travis County, Texas,

The portion of said easements to be hereby released is described as follows:

All of the 5 foot PUE along either side of the common property lines of said Lots 1083 and 1084, described above,

TO HAVE AND TO HOLD same, together with all rights and appurtenances to the same belonging, unto GRANTEE(S), their heirs, successors and assigns forever.

IN WITNESS WHEREOF, GRANTOR has caused this Release of Easement to be executed by its duly authorized officers this 2th day of APRIL, 2012

SOUTHWESTERN BELL TELEPHONE COMPANY

Steve Fougerson

Name : *STEVE FOUGERON*

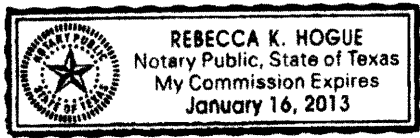
Title: *MANAGER Design ENGINEER*

THE STATE OF *TEXAS*
COUNTY OF *TRAVIS*

BEFORE ME, the undersigned authority, on this day personally appeared *STEVE EDUGERON*, known to me to be the person whose name is subscribed to the foregoing instrument as *Manager, Engineering-Design of Southwestern Bell Telephone Company, a Missouri corporation*, and acknowledged to me that he/she executed the same for purposes and considerations therein expressed in the capacity stated, and as the act and deed of said corporation.

Given under my hand and seal of office this the *2th* day of *APRIL*, 20*12*.

Rebecca K. Hogue
Notary Public in and for the State of *TEXAS*
My Commission Expires *Jan 16, 2013*





TRANSPORTATION AND NATURAL RESOURCES

Steven M. Manilla, P.E., County Executive

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

AFFIDAVIT OF POSTING

**TO: County Judge
County Commissioners
Travis County, Texas**

A Public Notice of Vacation of two five foot wide public utility easements sign was posted on August 29, 2012, on the northerly side of Running Deer Trail along the common lot line of Lots 1083 and 1084 of Apache Shores Section 2 at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 29 DAY OF August, 2012.

SIGNATURE: Jaime Garcia

NAME (PRINT): Jaime Garcia

TITLE: TNR/R&B Supervisor

cc: Garcia (sign shop)

M:\PERMITS\Vacate\12PUE\06-RunningDeerTrail\SignRequest-RunningDeerTr.doc




NOTICE OF PUBLIC HEARING

SEPTEMBER 18, 2012, AT 9:00 AM

PUBLIC UTILITY EASEMENT VACATION

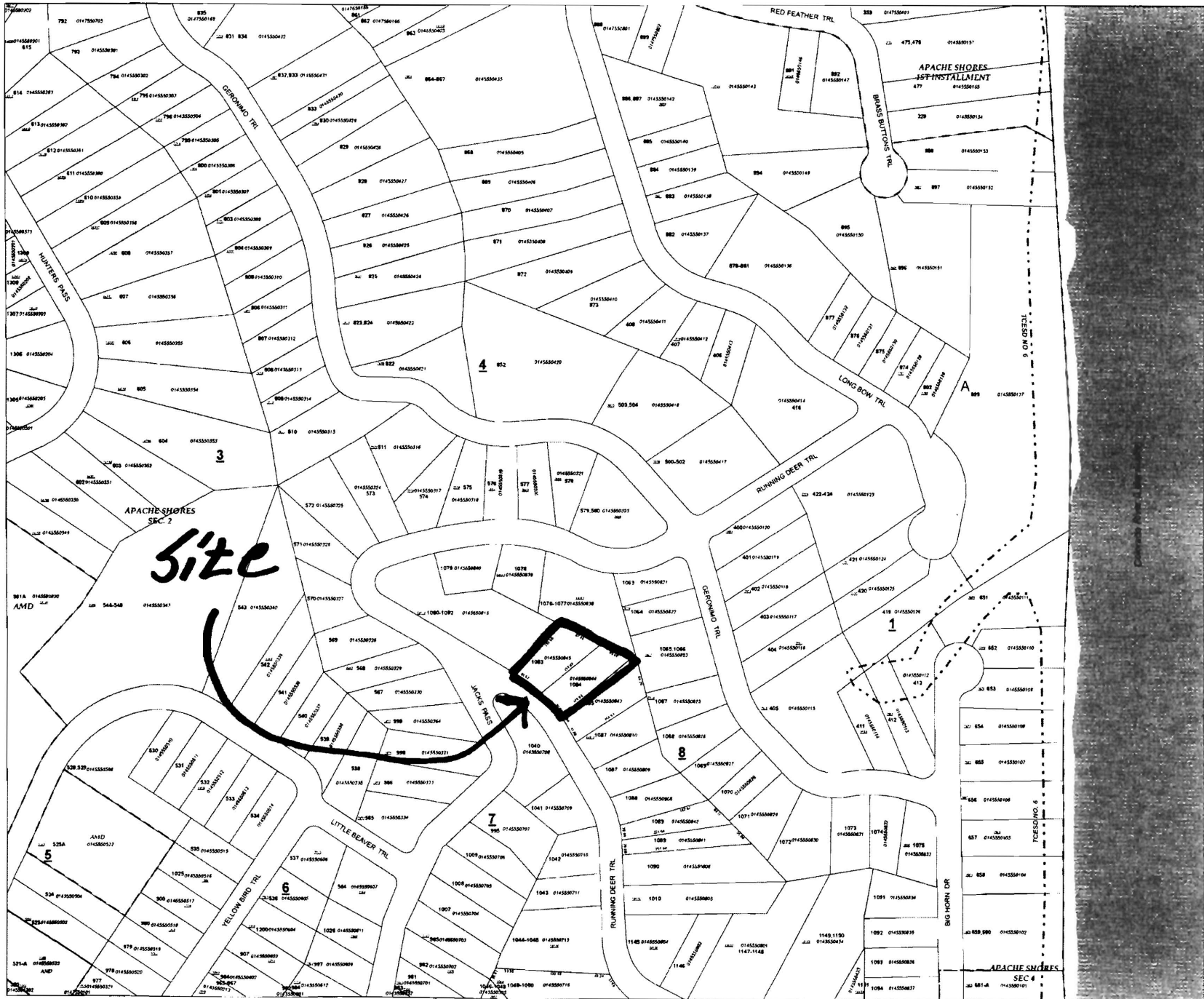
**TO APPROVE THE VACATION OF TWO
FIVE FOOT WIDE PUBLIC UTILITY
EASEMENTS LOCATED ALONG THE
COMMON LOT LINE OF LOTS 1083 AND
1084 OF APACHE SHORES, SECTION 2
A SUBDIVISION IN PRECINCT THREE**

**AT THE TRAVIS COUNTY
COMMISSIONERS' COURTROOM**


**NOTICE OF
PUBLIC HEARING**
SEPTEMBER 18, 2012, AT 9:00 AM
PUBLIC UTILITY EASEMENT VACATION

TO APPROVE THE VACATION OF TWO
FIVE FOOT WIDE PUBLIC UTILITY
EASEMENTS LOCATED ALONG THE
COMMON LOT LINE OF LOTS 1063 AND
1064 OF APACHE SHORES, SECTION 2
A SUBDIVISION IN PRECINCT THREE

AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
700 LAUNGA STREET
AUSTIN, TEXAS
CONTACT: (512) 291-1000



Travis Central Appraisal District
 8314 Cross Faint Drive
 Austin, Texas 78754
 Internet Address: www.travisad.org
 Main Telephone Number: (512) 454-4317
 Appraisal District: (512) 454-5228

This map was compiled solely for the use of TCAD. It is not to be used for any other purpose and is not to be used as a basis for engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claim, promise or guarantee about the accuracy, completeness or timeliness of the information and is not responsible for any errors and omissions. The mapped data does not constitute a legal document.

NAD 1983 StatePlane
 Texas Central FIPS 4203 Feet
 Projection: Lambert_Conformal_Conic



Scale: = 100 scale map
 Thin = 100 scale map
 Bold = 400 scale map

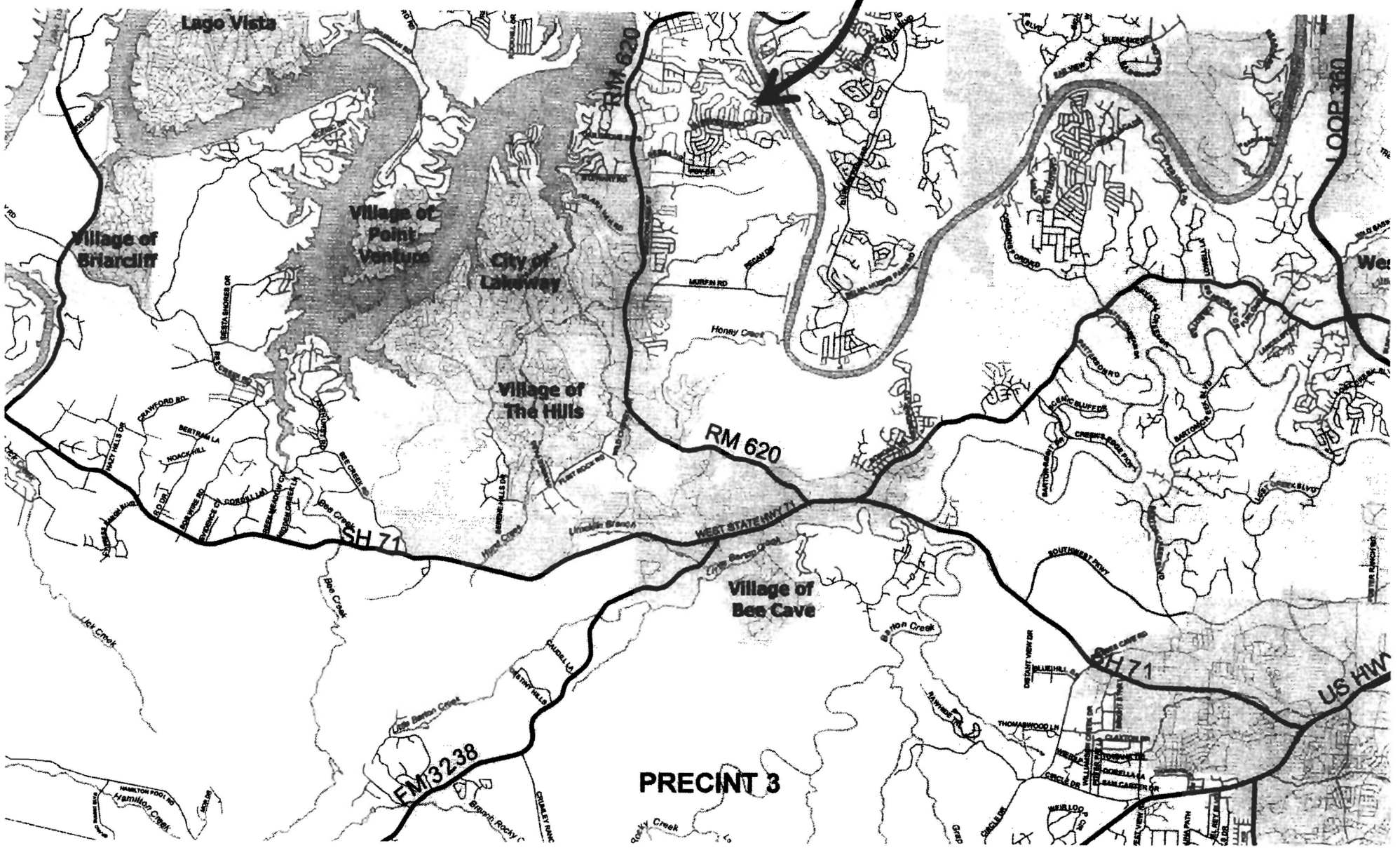
14754	14755	14753
14548	14549	14545
14257		
14754	14752	14753

0 100 Feet

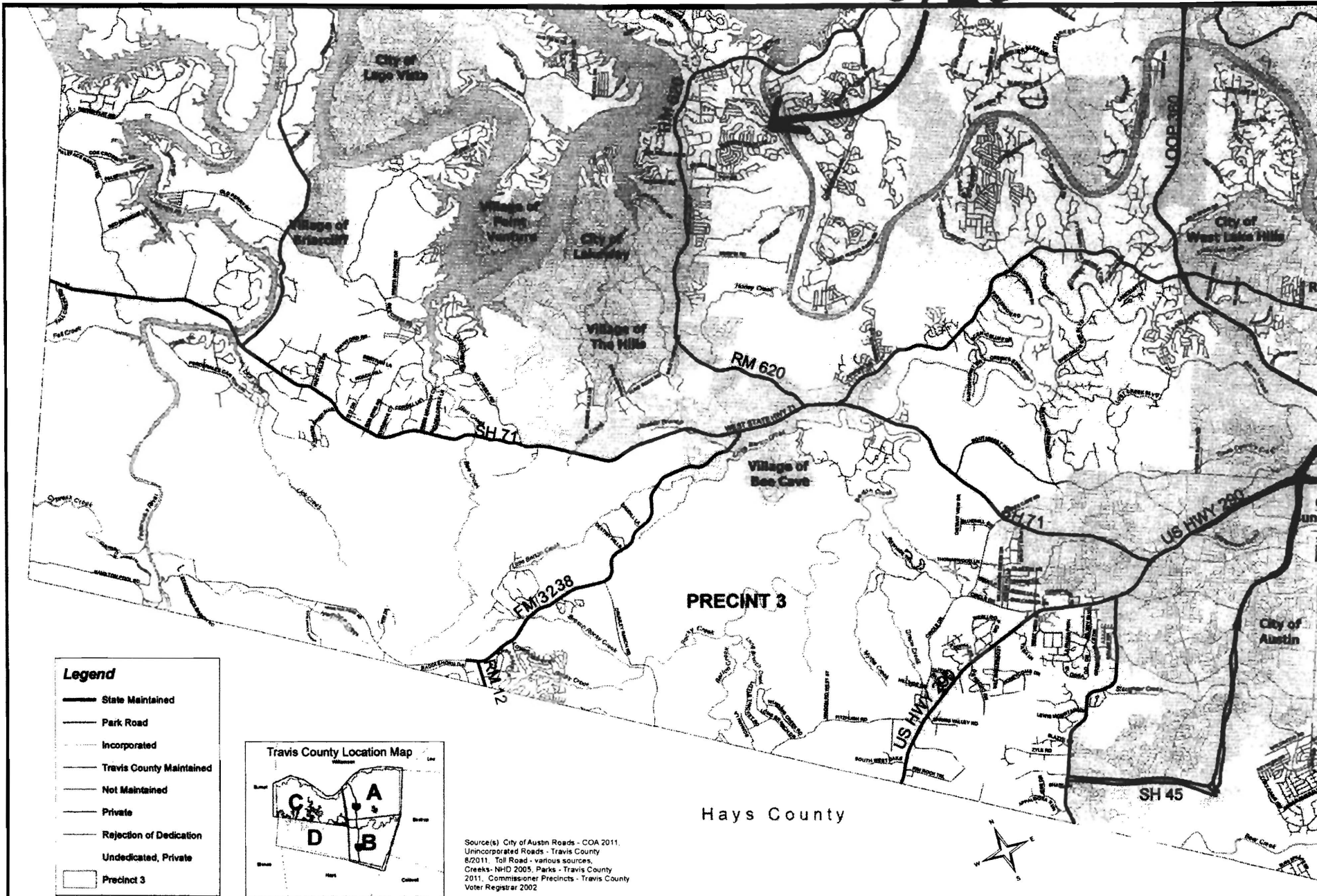
Revision Date:
 4/27/2012

14555

Site



Site



Map Disclaimer: The data is provided "as is" with no warranties of any kind

Travis County Roadways, Map D

Sources: City of Austin Roads - COA 2011, Unincorporated Roads - Travis County 8/2011, Toll Road - various sources, Creeks - NHD 2005, Parks - Travis County 2011, Commissioner Precincts - Travis County Voter Registrar 2002



Map Prepared by Travis County, Dept. of Transportation & Natural Resources Date: 8/9/2011